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Date: October 13, 2008

Steven Goldstein  
Steven Goldstein



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: HARLEY ET AL.

APPLICATION No.: 10/562,410/

FILED: September 7, 2006

FOR: COMPOSITIONS AND METHODS FOR SKIN  
CONDITIONING

EXAMINER: NATHAN, SHYAM

ART UNIT: 4161

CONF. NO: 6086

**Information Disclosure Statement Within Three Months of  
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**A. Timing of Submission**

This information disclosure is being filed within three months of the filing date of this application or date of entry into the National Stage of an International Application or before the mailing date of a first Office Action on the merits or before the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under 37 CFR §1.114, whichever occurs last (37 CFR 1.97(b)(4)). The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

**B. Cited Information**

- ☒ Copies of references 1-7 are issued patent(s) and published application(s) and are not included (see 37 C.F.R. § 1.98(a)(2)(i)).
- ☒ Copies of references 8-17 are enclosed.

**C. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))**

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

**D. Fee Payment**

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-4616.

Respectfully submitted,  
King & Spalding LLP

Date: October 13, 2008

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